

Serial No. : 10/039,827
Conf. No. : 9534
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REMARKS

The Examiner has previously indicated that claim 4-6 are in condition for allowance. Applicants thank the Examiner for so indicating.

Rejection Pursuant to 35 USC §103(a)

The Examiner has again rejected claims 1-3, this time pursuant to 35 USC 103(a) as allegedly obvious over Chemical Abstracts 532428. This reference discloses that compounds "with diuretic and saluretic activity were prepared" having the structure:



in which R is an optionally substituted phenyl group and R_1 , R_2 and R_3 are each selected from a large Markush group of possible substituents. Applicants respectfully traverse this rejection for the following reasons.

The Examiner states that the Applicants' point that rejected claims are drawn to compositions comprising a single compound and its esters and salts are not well taken because "it is expected that all the species of a genus have similar properties." However, this is precisely the Applicants' point. The cited abstract discloses properties (diuretic and saluretic activities) of the cited compounds that the presently claimed compound do not possess. Applicants are prepared to submit a declaration to that effect if necessary. Moreover, the present application discloses properties (analgesic properties) not disclosed in the prior art of record. Since the cited abstract does not specifically name or disclose the claimed compound, nor does it point one towards a compound having properties different from those disclosed in the citation, it cannot be considered obvious.

For this reason, Applicants respectfully ask that the Examiner reconsider the rejection of claims 1-3 and allow them to proceed to issue.

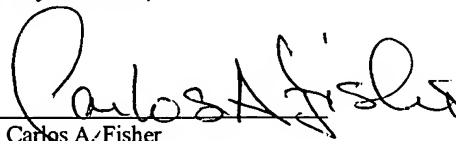
Please charge Deposit Account 01-0885 for the extension fees and any other fees due in this case.

Respectfully submitted,

Dated: _____

6/30/03

By: _____



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